

*Mr. Ben-Veniste*

WATERGATE SPECIAL PROSECUTION FORCE

United States Department of Justice

1425 K Street, N.W.

Washington, D.C. 20005

December 27, 1973

PAL:sek

Honorable John J. Sirica  
Chief Judge  
United States District Court  
for the District of Columbia  
Washington, D. C. 20001

Dear Chief Judge Sirica:

When Messrs. Ruth, Lacovara, Ben-Veniste and I met with you and Judge Gesell at your request on Friday, December 14, you suggested that it would be helpful if we could provide you with some sense of the caseload that we would be generating for the Court over the next several months. I have reviewed the status of the investigations currently under way with my task force leaders, and have put together what I believe is a reasonable projection of the scale of indictments that may be returned between the beginning of the new year and the end of April.

In January and February, I foresee the possibility that the grand juries may return three multi-defendant indictments that would take approximately a week each to try. During that time I can calculate approximately three additional indictments that might consume two weeks each of trial. Another case might last for three weeks. I also anticipate that, should an indictment be voted in another area actively under investigation at the present, it would take from four to six weeks to try the case. And finally, I believe that by the end of January or the beginning of February we may have an indictment in a case that could well take three months to try.

Looking ahead to March and April, I have reason to anticipate two or three indictments that may involve one-week trials, one involving a two-week trial, and another possibly leading to a three-week trial. Of course, there are a number of other matters currently at the preliminary stages of investigation which might be ready for indictment during March and April as well. Added to the cases referred

to above are a number of relatively straightforward cases that, if not terminated by an agreed upon plea of guilty, should take no more than a day or two to try.

I am sure you can appreciate that the estimates I have given are extremely rough. It is, of course, possible that the grand jury will elect not to return indictments in some of these areas. In addition, willingness by potential defendants to agree to plead guilty before or after indictment may substantially reduce the number or length of the trials. It is my opinion, however, that the estimates I have given, while perhaps erring on the side of being overly inclusive, will provide you with information that you may find helpful in planning for the assignment of cases during the early part of the new year.

No doubt in making your own assessment of caseload you will consider the time that will be consumed between indictments and trials in these cases by pre-trial motions, particularly motions for continuances or transfers based on pre-trial publicity, including the report of the Ervin Committee which is scheduled to be released in the Spring.

If further information or detail would be helpful, I would be happy to respond to any questions you may have. Let me take this opportunity to express again my deepest appreciation for the extremely careful and responsible way you have been handling these matters and for the courtesies you have extended to me and to my staff.

Sincerely,

/s/

LEON JAWORSKI  
Special Prosecutor

cc: Mr. Jaworski  
Mr. Ruth  
Mr. Lacovara  
Task Force Leaders  
Files